

UNIVERSITY OF TORONTO FACULTY OF LAW: FACULTY COUNCIL
Issue Briefing Note
For Approval

Subject: Governing Documents Amendment Process Report; Amending Formula

Proponents: Governing Documents Amendment Process Committee

Date: March 24, 2021

Overview:

On October 7, 2020, the Faculty Council of the Faculty of Law (“**Faculty Council**”) created and instructed the Governing Documents Amendment Process Committee (the “**Committee**”) to “develop a proposed amendment process” for amending the Faculty of Law Constitutional Documents, April 1941 to March 2012 (the “**Governing Documents**”).¹

On February 10, 2020, the Committee proposed an amending formula to Faculty Council for Consultation (“**Amending Formula**”). The Amending Formula is one component of a comprehensive amending process required to make amendments to the Governing Documents (“**Amending Process**”). The research and rationale for the Amending Formula and a discussion of the Amending Process was provided to Faculty Council via briefing note.² More information on the proposed Amending Formula and the Amending Process can be found in the [February 10, 2021 Briefing Note - Governing Documents Amendment Process Committee Update](#).

Representatives of the Office of the Governing Council have confirmed that Faculty Council can adopt and approve the Amending Formula by simple majority with at least seven (7) days notice.³ A resolution to that effect is included in this briefing note. The resolution will be voted on at the March 31, 2021 meeting of Faculty Council.

The Committee, having fulfilled its mandate by recommending an Amending Formula and clarifying the Amending Process, will be discharged unless Faculty Council requests further work or information.

¹ [October 10, 2020 Briefing Note and Resolution - Governing Documents Amendment Process Committee](#)

² [February 10, 2021 Briefing Note - Governing Documents Amendment Process Committee Update](#)

³ This is in accordance with the provisions for special resolutions of Faculty Council as defined in s 1(g) of the [Resolution with Respect to the Membership of Faculty Council and its Committees](#).

FACULTY COUNCIL RESOLUTION

Re: Faculty Council Governing Documents Amending Formula

March 31, 2021

Whereas, the University of Toronto Faculty of Law is governed by a Faculty Council consisting of students, faculty, and staff which in turn is governed by a series of constitutional documents⁴ (the “**Governing Documents**”);

Whereas, Faculty Council has the powers and duty to make rules and regulations for governing its proceedings;

Whereas, the above powers and duties are subject to the provisions of the *University of Toronto Act, 1971*, as amended, and the approval, as required or as appropriate, of the Governing Council of the University;

Whereas, the Governing Documents do not provide an amending formula by which Faculty Council may amend its Governing Documents; and

Whereas, the Office of the Governing Council has confirmed that Faculty Council may adopt such an amending formula unilaterally by resolution;

Therefore be it resolved that Faculty Council adopt the following amending formula, and append it to the Governing Documents:

Faculty Council may amend its governing documents by resolution, subject to:

1. notice of amendments, including the text of draft amendments, being given a minimum of fourteen (14) calendar days in advance of the Faculty Council meeting at which they are to be voted on;
2. approval from the greater of:
 - a. two-thirds of those members of Faculty Council present and voting at the meeting; or
 - b. a majority of the current members of Faculty Council; and
3. the processes and approval, as required or as appropriate, of the Governing Council of the University of Toronto.

⁴ *Faculty of Law Constitutional Documents April 1941 to March 2012*